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**POLICY CONCERNING NON-FRIABLE ASBESTOS-CONTAINING MATERIALS**

**Bureau of Waste Prevention  
Policy # BWP-96-012**

(original version signed)

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**Carl Dierker, Assistant Commissioner**  
(original version dated 4/8/1996)

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**Date**

**DEPARTMENT POLICY:**

The Department of Environmental Protection's (DEP) Asbestos Regulation, 310 CMR 7.00, 7.09, and 7.15, protects the public health by preventing the release of asbestos emissions to the ambient air. The regulation specifies notification, handling, removal and disposal requirements for all asbestos-containing materials which contain one percent or greater asbestos by weight, both friable and non-friable (note: if asbestos-containing materials are not removed and containerized in accordance with 310 CMR 7.15, the material is subject to 310 CMR 40, the Massachusetts Contingency Plan). Non-friable asbestos-containing materials are included in the regulation because if these materials have deteriorated, are broken and/or mishandled, asbestos emissions may be released to the ambient air.

Certain asbestos-containing products, which are discussed in this policy, do not pose a significant public health threat because asbestos fibers are not released to the ambient air if these products are handled properly during removal, repair or disposal. Therefore, this policy designates specific requirements for the handling, removal and disposal of certain asbestos-containing products including vinyl asbestos tile (VAT) and asphalt based roofing and siding products.

Notification to the DEP for the renovation/demolition of VAT and asphalt based roofing and siding products is not required if the all the conditions and guidelines in this policy are strictly observed and followed.

This information is available in alternate format by calling our ADA Coordinator at (617) 574-6872.

DEP on the World Wide Web: <http://www.state.ma.us/dep>



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## **Policy Concerning Non-Friable Asbestos-Containing Materials**

**Policy # BWP-96-012**

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If all the conditions and guidelines in this policy are strictly observed and followed, VAT and asphalt based roofing and siding products may be disposed of in a landfill permitted by the DEP to accept solid waste and, in accordance with the Solid Waste Management Facility Regulations, 310 CMR 19.061(6)(b)3., "Requirements for Certain Classes of Asbestos Wastes," the landfill does not have to obtain a permit to accept special waste. If the VAT and asphalt based roofing and siding products are in a deteriorated state and/or not handled in accordance with this policy or if the DEP has determined that asbestos fibers may be released during handling, removal or disposal, then the materials must be disposed of in a landfill that has obtained a special waste permit to accept asbestos wastes, in accordance with 310 CMR 19.061, "Special Waste."

### **Handling and Disposal Guidelines for Vinyl Asbestos Tile and Asphalt Based Roofing and Siding Material:**

1. The material must not be broken, sanded, sawed, ground or drilled.
2. The material must not be compacted or incinerated.
3. The material must be disposed of in a DEP permitted solid waste landfill.
4. Any demolition involving these materials must comply with 310 CMR 7.09 (3) and (4) (Dust, Odor, Construction, Demolition).
5. If the material is in a deteriorated state prior to commencing demolition/renovation operations, then 310 CMR 7.15 asbestos controls shall be complied with including notification to DEP.
6. If the material is in a deteriorated state and/or not handled in accordance with this policy, then the material must be disposed of in a landfill that has obtained a special waste permit to accept asbestos wastes, in accordance with 310 CMR 19.061, "Special Waste."

### **Vinyl Asbestos Tile (VAT):**

1. Remove VAT from buildings prior to demolition operations. The contractor shall contact the Massachusetts Department of Labor and Industries to determine if a licensed abatement contractor, trained personnel and air testing are required.
2. Prior to the commencement of removal operations, the building owner, removal contractor and consultant shall assess the condition of the VAT to determine if it can be removed intact and in accordance with the Handling and Disposal Guidelines.
3. If at any time during the removal operation the VAT begins to break, indicating that handling guidelines are not or cannot be followed, then all work must stop. DEP must be notified and the removal operation and disposal of the material shall be conducted according to 310 CMR 7.15, asbestos regulations.
4. If the material is in a deteriorated state, DEP must be notified and the removal operation and disposal of the material shall be conducted according to the requirements of 310 CMR 7.15.

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5. Linoleum and sheet flooring are not considered VAT and are subject to the requirements of 310 CMR 7.15.

**Asphalt Based Material:**

1. This group of products consists of asphalt asbestos-containing material such as roofing felts, roofing shingles, asphalt siding products and other asphalt paper products. (Note: All other asbestos-containing roofing shingles and siding products such as those containing a cementitious binding characterized as being hard and brittle are subject to 310 CMR 7.15 which requires notification and work practices.)
2. Sawing this material into pieces for ease of handling is not considered proper handling. Some alternate cutting method must be used.
3. If the material is in a dry, friable, deteriorated state, DEP must be notified and the demolition/renovation operation and disposal of the material shall be conducted according to the requirements of 310 CMR 7.15.